



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MPA- 174755

PRELIMINARY RECITALS

On May 31, 2016, petitioner filed a hearing request under Wis. Stat., §49.45(5), to review a decision by the Division of Health Care Access and Accountability (DHCAA) to deny Medical Assistance (MA) authorization for a Computed Tomography Angiography (CTA). A hearing was held on June 29, 2016, at Milwaukee, Wisconsin, with the parties appearing by telephone.

The issue for determination is whether the DHCAA correctly denied the requested CTA.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Written submission of [REDACTED]

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Milwaukee County who receives MA.
2. Petitioner has a history of migraine headaches with a benign brain tumor (meningioma). On April 29, 2016 her doctor ordered a magnetic resonance imaging (MRI) that was approved by the MA program. The MRI showed no signs of cancer or other medical condition that would cause the headaches.
3. On May 6, 2016 Dr. [REDACTED] [REDACTED] requested prior authorization for a CTA, PA no. [REDACTED]. By a letter dated May 10, 2016 the DHCAA denied the request.

DISCUSSION

Physician-prescribed diagnostic services can be covered by MA, if they are consistent with good medical practice. Wis. Admin. Code, §§DHS 107.06(1) and 107.25. The Department has now decided to make payment of CT, MRI, and PET scans subject to prior authorization, in an effort to determine if they are being ordered consistent with good medical practice. This prior authorization requirement was announced to providers in an *MA Update*, #2010-92, issued to all providers in October, 2010.

Oncology Imaging Guidelines issued by the Department state that an MRI Brain is the appropriate imaging for tumors. See Attachment 2 to Nurse Oakes's June 22, 2016 submission. A CTA is approved only if an MRI is contraindicated or not available. A CTA can be considered if there are abnormal neurological findings, Attachment 2-3, or if there is a sudden onset of headaches, Attachment 2-4.

None of the CTA approval reasons exist here. The MRI done prior to the CTA showed no signs of cancer, and the suggestion was that petitioner's headaches were caused by stress. Petitioner explained that Dr. [REDACTED] ordered the CTA because she saw a slight abnormality in the MRI that turned out to be a closed blood vessel. There is no mention of the slight abnormality in the CTA prior authorization request, and based upon the record before me petitioner's situation did not meet any of the criteria for a CTA. I must conclude, therefore, that the denial was correct.

CONCLUSIONS OF LAW

The DHCAA correctly denied a prior authorization request for a CTA because petitioner already had an MRI that showed no abnormalities and petitioner's situation met no other criteria for a CTA.

THEREFORE, it is

ORDERED

That the petition for review is hereby dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

APPEAL TO COURT

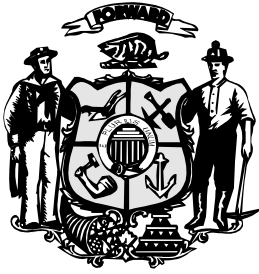
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, **and** on those identified in this decision as "PARTIES

IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,
Wisconsin, this 6th day of July, 2016

\s _____
Brian C. Schneider
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
Suite 201
5005 University Avenue
Madison, WI 53705-5400

Telephone: (608) 266-3096
FAX: (608) 264-9885
email: DHAmail@wisconsin.gov
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on July 6, 2016.

Division of Health Care Access and Accountability